

August 11, 1998

EA 98-303

Mr. Walter G. MacFarland IV  
Senior Vice President  
Clinton Power Station  
Illinois Power Company  
Mail Code V-275  
P. O. Box 678  
Clinton, IL 61727

SUBJECT: NOTICE OF VIOLATION (NRC INVESTIGATION REPORT 3-98-008);  
INSPECTION REPORT 50-461/98015(DRS)

Dear Mr. MacFarland:

This refers to information provided to the NRC by the Illinois Power Company concerning a fire brigade drill conducted on January 19, 1998, at the Clinton Power Station. During the fire brigade drill, an NRC-licensed senior reactor operator allegedly violated NRC-required radiation protection procedures. The NRC's Office of Investigations (OI) reviewed the information provided by your staff and a sworn statement provided by the senior reactor operator.

One violation of NRC requirements was identified during this review. Specifically, during the fire brigade drill, the fire brigade leader exited the radiologically controlled area at an unauthorized point and failed to perform radiological surveys, which were required by station procedures. While OI concluded that a deliberate violation of NRC-required procedures did not occur, the NRC is concerned that the fire brigade leader (an NRC-licensed senior reactor operator) acted with careless disregard of radiation protection procedural requirements and instructions. A copy of the OI report synopsis is enclosed.

The NRC also recognizes that additional examples of the failure of your staff to comply with station radiation protection requirements have been documented in the last 2 years in NRC inspection reports (NRC Inspection Reports Nos. 50-461/97017(DRS), 50-461/97013(DRS), and 50-461/96012(DRS)). Consequently, we are concerned that your previous corrective actions to address these problems have not been fully effective to resolve problems with radiation worker adherence to radiation protection procedures and to have prevented the current violation.

This violation is cited in the enclosed Notice of Violation (Notice). Please note that you are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, please evaluate the continuing problems concerning radiation protection procedure adherence and include any additional corrective actions which will ensure that additional incidents are prevented. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response will be placed in the NRC Public Document Room.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

/s/ J. A. Grobe

John A. Grobe, Director  
Division of Reactor Safety

Docket No. 50-461  
License No. NPF-62

Enclosures: 1. Notice of Violation  
2. OI Report Synopsis

cc w/encls: G. Hunger, Station Manager  
R. Phares, Manager, Nuclear Safety  
and Performance Improvement  
J. Sipek, Director - Licensing  
N. Schloss, Economist  
Office of the Attorney General  
G. Stramback, Regulatory Licensing  
Services Project Manager  
General Electric Company  
Chairman, DeWitt County Board  
State Liaison Officer  
Chairman, Illinois Commerce Commission

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John A. Grobe, Director  
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DOCUMENT NAME: G:DRS\CLI08048.DR

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(\*OE concurrence received on 8/4/98 during telephone conversation between Betty Summers, OE, and Charles H. Weil, RIII)

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R. Paul, OI, RIII w/encls  
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## NOTICE OF VIOLATION

Illinois Power Company  
Clinton Station, Unit 1

Docket No. 50-461  
License No. NPF-62  
EA 98-303

During an NRC investigation completed on May 21, 1998, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG 1600, the violation is listed below:

Technical Specification 5.4.1 requires, in part, that written procedures be established, implemented, and maintained covering the applicable procedures recommended in Regulatory Guide 1.33, Appendix A, Revision 2, February 1978.

Regulatory Guide 1.33, Appendix A, February 1978, Section 7(e) recommends that radiation protection procedures be implemented which cover personnel monitoring and contamination control.

Procedure CPS No. 1024.02, Revision 2, "Radiological Work Control," implements Technical Specification 5.4.1 by addressing personnel monitoring and contamination control. Section 2.1 of that procedure requires, in part, that prior to exiting the Radiological Control Area (RCA) utilizing any point other than the designated areas, an individual must obtain approval from a Radiological Operations Supervisor. Further, all personnel exiting the RCA must successfully pass through a "half man frisker" (a personal contamination monitor), or when authorized by radiological operations, monitor themselves by performing a manual whole body "frisk" (survey), or contact radiological operations personnel for assistance.

Contrary to the above, on January 19, 1998, an individual exited the RCA utilizing a point other than the designated areas without obtaining approval from a Radiological Operations Supervisor. Furthermore, the individual failed to pass through a personal contamination monitor, failed to perform a whole body survey and did not contact radiological operations personnel for assistance.

This is a Severity Level IV violation (Supplement IV). (VIO 50-461/98015-01)

Pursuant to the provisions of 10 CFR 2.201, Illinois Power Company is hereby required to submit a written statement of explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington D.C. 20555 with a copy to the Regional Administrator, Region III, and a copy to the NRC Resident Inspector at the Clinton Station within 30 days of the date of the letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid a further violation, and (4) the date when full compliance will be achieved. Your response may

reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be placed in the NRC Public Document room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure or information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information).

Dated at Lisle, Illinois,  
this 11th day of August 1998